

# UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WILD FISH CONSERVANCY,

Plaintiff,

v.

SCOTT RUMSEY, *et al.*,

Defendants,

and

ALASKA TROLLERS ASSOCIATION and  
STATE OF ALASKA,

Defendant-Intervenors.

## JUDGMENT IN A CIVIL CASE

CASE NO. 2:20-cv-00417-RAJ

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

### THE COURT HAS ORDERED THAT

The Report and Recommendation is approved and adopted. Plaintiff's Motion for "Final Order on Relief and for a Temporary Restraining Order and/or a Preliminary Injunction Pending Entry of a Final Order on Relief" (dkt. # 127) is GRANTED in part and DENIED in part.

The 2019 Southeast Alaska Biological Opinion ("2019 SEAK BiOp") is REMANDED to the National Marine Fisheries Service ("NMFS") to remedy the Endangered Species Act

(“ESA”) and National Environmental Policy Act (“NEPA”) violations previously found by this Court.

The portions of the 2019 SEAK BiOp that authorize “take” of the Southern Resident Killer Whale and Chinook salmon resulting from commercial harvests of Chinook salmon during the winter and summer seasons (excluding the spring season) of the troll fisheries are VACATED.

Plaintiff’s request that portions of the 2019 SEAK BiOp that adopt, and consult under Section 7 of the ESA on NMFS’s prey increase program be vacated and/or enjoined is DENIED.

DATED this 4th day of May, 2023.

Ravi Subramanian  
Clerk of Court

/s/ Victoria Ericksen  
Deputy Clerk